

REPORT ON THE OKLAHOMA CITY
BOMBING**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1999

Mr. TRAFICANT. Mr. Speaker, for the past 6 years I have been examining the issue of security in Federal buildings. In the last two Congresses I have introduced legislation to reform and improve the Federal Protective Service. As part of this effort, I have closely examined the April 19, 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma.

For the past 2 years my efforts have been assisted by a private citizen, Mr. John Culbertson. Mr. Culbertson recently completed a detailed report for my office on the physical security deficiencies of the Murrah Building. Mr. Culbertson also prepared an excellent report summary which I would like to insert in the RECORD. I want to emphasize that Mr. Culbertson is a private citizen and that he prepared the report at his own expense.

Mr. Speaker, Mr. Culbertson's report includes some disturbing revelations about security lapses in Oklahoma City on the day of the bombing. I am deeply concerned that unless swift action is taken to reform and upgrade the Federal Protective Service, there will be another tragic bombing of a federal building.

I urge my colleagues to read the report and to cosponsor my legislation, H.R. 809, the Federal Protective Service Reform Act.

DEADLY FAILURES—PHYSICAL SECURITY DEFICIENCIES OF THE ALFRED P. MURRAH FEDERAL BUILDING, OKLAHOMA CITY, OKLAHOMA—SPECIAL REPORT SUMMARY

This report has been prepared by John Culbertson for the Honorable James A. Traficant Jr. as a follow up report to the "Background Briefing, Building Specific Security Deficiencies" white paper prepared at the request of the office of the Honorable James A. Traficant Jr. and dated June 3, 1998.

This report will detail specific failures in the security review and operations of the Murrah Federal Building (MFB) that could have led to its selection as a target and subsequent bombing on April 19, 1995. Further details of the analysis regarding the bombing and the MFB will be the subject of other reports.

A February 21, 1995 Physical Security Survey incorrectly classified the building as a level III building. The correct classification was level IV based upon United States Department of Justice Criteria. The Oklahoma City Fire Department has published data which would have classified the building as a level IV building. The Federal Protective Service in a post bombing publication listed the building as a security level IV building.

Because the building had been the target of previous bombing attempts, and Richard Wayne Snell, a person involved in the planning of one of these plots was scheduled for execution on the day of the bombing. Richard Wayne Snell is an Aryan National figurehead who was executed in the state of Arkansas on April 19, 1995 for the murder of Lewis Bryant, an Arkansas State Trooper of African American descent. Snell had with James Ellison the leader of the group known as the Covenant, Sword and Arm of the Lord, planned to bomb the MFB in 1983.

The March, 1995 issue of "Taking Aim" the monthly newsletter published by the Militia

of Montana (MOM) was heavily devoted to Richard Wayne Snell. The newsletter called Snell a "Patriot to be executed by the Beast". MOM linked the execution date to the 1993 burning of the Branch Davidian Complex in Waco, to the British attack on Lexington and Concord in 1776 and in typical fashion of ignoring important facts to the shoot-out and subsequent standoff with Randy Weaver at Ruby Ridge, Idaho which actually began on August 21, 1992. MOM promoted the idea of April 19th as being declared within the movement as "Militia Day". The newsletter also made the appeal that Snell would be executed unless some action was taken.

Compounding the Snell execution scheduled for the same day as the bombing was the fact that just two years earlier the standoff at the Branch Davidian Complex in Waco, Texas ended in a deadly fire on April 19, 1993. This fire had become a rallying point for groups opposed to the Federal government. The FBI issued an advisory to the FPS on February 7, 1995 regarding a planned demonstration on February 28, 1995 by the DC committee for Waco Justice, the date of the initial BATF raid that precipitated the standoff. The GSA has stated no warning of potential threats was received from the FBI although the FBI was cognizant of the Snell execution.

Certain events that took place in the week prior to the bombing were either left not investigated or occurred because there was no mechanism in place to investigate or prevent them. These events are highly suspicious and could have a connection to the bombing itself.

Numerous witnesses have reported seeing three individuals in the parking garage of the MFB on Friday April 14, 1995, acting in a suspicious manner with suspicious objects in their possession. A significant item is that they had a set of "E" sized sheets which is consistent with the size of the building plans for the MFB.

A witness who was employed in the building reported encountering a male subject on April 18, 1995 wearing a GSA uniform. The witness noticed the subject because he was not one of the building regulars and seemed out of place. A May 24, 1997 story in the Rocky Mountain News by Kevin Flynn recounts how a guard who happened to be at the MFB on the afternoon of April 18, 1995 witnesses what may have been a test run for the bombing, a large truck pulled up in front of the MFB in the area that McVeigh parked his truck. Three individuals exited the truck in a hasty fashion and ran across the street. Several minutes later they returned to the truck and left.

On the morning of April 19, 1995 a witness entering the building encountered the same subject as the day before on his way out of the building in a hurried manner. Once again the subject had a GSA uniform shirt on but in this case was accompanied by another individual.

CONCLUSIONS

1. In the context of events leading up to the bombing of the MFB, it appears that Federal officials should have been at a higher state of alert for a potential threat, however it also appears that there was no mechanism clearly defined to disseminate important information.

2. Given the precautions taken by Arkansas officials with respect to the execution of Richard Wayne Snell, and his particular history of violence, Federal Agencies should have been more aware of a potential threat against the MFB. Certainly the fact that the militia community was highly involved in the opposition of the execution of Snell, and given his specific history of planning an at-

tack on the MFB in 1983 more attention should have been given to a scenario of a possible attack against the building on April 19, 1995.

3. Further indications to a potential threat against the MFB should have been realized due to the fact the James Ellison, a co-conspirator with Snell in the 1983 plot had taken up residence at Elohim City with which Snell has considerable linkage. Because the raid on Ellison's compound had occurred on April 19, 1985, ten years later, and Snell had been predicting a bombing, attention was warranted by Federal authorities regarding the possibility of an attack. There was a failure in the mechanism for timely and functional communications between Federal agencies.

4. Strangers in GSA uniforms in the building on April 18 and 19, 1995 would have had a higher probability of detection had there been a sufficient security force present in the building in 1995. These occurrences while not totally remedied by human presence can be significantly reduced if the subjects in question were part of an operation to plant explosives within the building or provide reconnaissance, it is highly likely that such an operation would not be attempted if sufficient human security presence were maintained.

5. Proper classification of the building itself may have resulted in increased security measures such as video surveillance and increased human presence that could have detected the possibility of a plot against the building. Certainly enhanced security measures would have made the building a less attractive soft target for terrorism.

6. Proper classification of the building may have resulted in better protective features particularly in the case of retrofit items. Protective features including glass protection, internal security measures and traffic management certainly could have been a mitigating factor in the reduction of fatalities, injuries and damage resulting from the attack on April 19, 1995.

RECOMMENDATIONS

1. Existing classification criteria seems adequate but is unevenly applied, most likely to poor management and budgetary considerations. The FPS should have the lead in investigating and identifying building security level using existing criteria. Classification efforts should be free of constraints such as budgetary concerns when an investigation and determination effort is being conducted. If after determinations are made budgetary concerns are warranted, solutions should sought such as locating high risk tenant agencies together or the exploration of site specific cost effective technological solutions. In order to carry out this mission the FPS should have stand alone status within the GSA framework and should be a full fledged law enforcement agency with investigative capabilities.

2. The value of a human presence should not be discounted, the addition of dedicated security personnel employed by the Federal government as opposed to contract guards should be implemented as quickly as possible. The ability to investigate and make quick determinations is of supreme importance in the protection of Federal Employees.

3. Security personnel should have clear lines of authority and adequate training for the task of providing security to Federal facilities without infringing on the rights of the citizens they are charged with protecting.

4. Attention should be placed on developing methodologies for security personnel to provide protective services without giving a fortress like appearance to Federal facilities.

Federal facilities are the property of the American people and they should be as open and accessible as possible to them.

5. Methods of intelligence sharing should be strengthened between Federal agencies, state agencies and local officials with respect to data that may be important to the security of a Federal facility. Because threats against federal facilities will in most all cases involve peripheral threats and risk to local jurisdictions, there should be a mechanism to share intelligence data and other cooperative efforts with these officials in a timely manner.

PEACE CORPS ACT AUTHORIZATION

SPEECH OF

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 669) to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes:

Mr. WALDEN of Oregon. Mr. Chairman, I would like to explain why I joined 89 of my colleagues from both parties in voting against the Peace Corps Reauthorization Act. But first, let me say that I did not vote against this bill because I oppose the noble function that the Peace Corps serves. I have the utmost respect for this program, and for the people who choose to give two years of their lives to help others. Furthermore, I recognize the successes the Peace Corps has had in helping impoverished, struggling communities gain a foothold in the modern world.

I voted against passage of the Peace Corps Reauthorization Act because I don't believe that authorizing a substantial increase in funds for this program is the best use of federal money at this point. This bill will increase funding for the Peace Corps from \$241 million this year to \$365 million in 2003, an increase of 51 percent. Because I recognize the value of the Peace Corps, I would have voted for a measure that reauthorizes the Peace Corps at the existing funding level, or at a level that provides for a small increase to account for inflation. I believe that a major increase in funding for a program such as the Peace Corps is unwise at a time when the federal government continues to cut Medicare funding for rural hospitals and patients and the U.S. Forest Service is unable to protect our nation's federal forests from catastrophic wildfires and destructive beetle infestations.

While the additional Peace Corps authorization is small, relative to other outlays by the federal government, we must be careful to prioritize our spending to direct it toward those programs that benefit Americans who need assistance. Many Members of Congress, as well as the President, have committed themselves to saving Social Security and Medicare. These efforts will require substantial investments, and we must be prudent with our spending now so we can fulfill our obligation to current and future retirees.

I believe that my vote was the right choice in my efforts to help my constituents solve the serious problems they face every day, and I

look forward to continuing to address the needs of Oregonians with my votes in the House of Representatives.

BAUDER ELEMENTARY SCHOOL

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to pay humble tribute to the students, teachers, and parents of Bauder Elementary School in Colorado for their efforts to help the needy during the holidays. I commend the faculty of Bauder, as well as all the students, parents and individuals who contributed to this special canned food drive. Their selfless dedication has provided warmth, comfort, and happiness to families in Colorado. That the school produced 4,600 cans of food, books, gift certificates, and toys for the benefit of local families is testament to the true meaning of the spirit of Christmas and Hanukkah. Let us remember, as these good people have, that the holiday season is one of giving, one of joy, and one of hope. Let this example during the holidays, be a beacon to us all throughout the year.

STUDENT HEALTH INSURANCE PORTABILITY PROTECTION ACT OF 1999

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1999

Mr. COSTELLO. Mr. Speaker, I rise today to introduce the Student Health Insurance Portability Protection Act of 1999.

In 1996 we made great strides in passing the Kennedy-Kassebaum Health Insurance Portability Protection Act. However, 14.3 million college students covered by health insurance plans sponsored by their college or university are not covered under last year's health provisions. It is essential for college students to fall under these provisions.

My bill requires college-sponsored health plans to be portable and exclude long pre-existing condition waiting periods. College-sponsored plans will be considered as group plans and allow students to go from college-sponsored plans to work-sponsored plans without loss of coverage due to a pre-existing condition. Students will also be eligible for another school's health plan when transferring from university to university. This bill takes an important step in ensuring health care coverage for our country's college students at no extra cost to the taxpayer.

I ask my colleagues to join me in supporting this bill and ensuring health care for our Nation's college students. Give them the health care they need to enter the workforce. Do not leave college students out of health care reform.

TRIBUTE TO LEWIS ENTZ

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1999

Mr. MCINNIS. Mr. Speaker, I would like to take a moment to recognize the career of one of Colorado's leading statesman over the past two decades, state Representative Lewis Entz. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. Now retired from the Colorado House of Representatives, it is clear that Representative Entz's dynamic leadership in the Colorado General Assembly will be greatly missed and difficult to replace.

Elected to the Colorado House of Representatives in 1982—a seat he would hold until 1998, Representative Entz rose quickly to positions of great influence within the House. In 1989, Representative Entz was named Chairman of the House Local Government committee which he would chair until 1994. While serving in the General Assembly, Representative Entz was best known for his tireless work on natural resource, agricultural and local government issues. I feel privileged to have had the opportunity to work closely with him on many of these and other issues.

The number of honors and distinctions that Representative Entz earned during his years of outstanding service are too numerous to list, and too few to do justice to his contributions to the state of Colorado.

1998 marked the end of Representative Entz's tenure in elected office and the state of Colorado is worse off in his absence. Mr. Speaker, there are few people in Colorado's proud history who have served as selflessly and distinguishedly as did Representative Entz. His career embodied the citizen-legislator ideal and was a model that every official in elected office, including myself, should seek to emulate. The citizens of Colorado owe Representative Entz a debt of gratitude and I wish him well in his well-deserved retirement.

WE WANT THE BEST FOR OUR CHILDREN

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1999

Mrs. JONES of Ohio. Mr. Speaker, I rise today to speak to the issue of school construction. Education is one area we cannot short-change. It has been statistically proven and exhaustively mentioned in this Chamber that children learn better in smaller classes.

It has also been proven that children need access to technology and other resources to be successful. One way to do that is to build areas that are reflective of these technological developments and trends—new schools.

I respect the fact that my colleagues on the other side of the aisle agree that new schools are an important key to education. It is unfortunate that those same people have spent 4 years blocking all significant school modernization initiatives.

The Archer proposal would only give limited assistance to schools and targets the districts that need this assistance the least.